Docket No. 1363-010 Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	
BART DAHNEKE et al.	:	Examiner: Chen, Alan S.
Serial No.: 10/073,571	:	Group Art Unit: 2182
Filed: February 11, 2002	:	
For: METHOD AND APPARATUS FOR MAINTAINING PERIPHERAL DEVICE SUPPORT INFORMATION	:	

AFFIDAVIT UNDER 37 CFR § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Bart Dahneke, Ted W. Tronson, and Michael J. Cowley, do hereby declare and say:

1. That we are named co-inventors in the above-identified patent application.

2. That we are familiar with the prosecution of this application, and understand that claims 1-26 are pending, and 1-9 and 12-26 stand rejected under 35 U.S.C. Section 102(e) as anticipated by U.S. Patent Publication No. 2002/0174206 to Moyer et al. (hereinafter "Moyer").

3. That Moyer was filed on May 21, 2001 and published on November 21, 2002, and that the Moyer reference relates to a "web-based file manipulating system." *Moyer title.*

4. That prior to May 21, 2001, the effective filing date of Moyer, the invention described and claimed in the pending application was completed by us and/or under our direction in the United States.

5. That prior to May 21, 2001, we completed or had completed under our direction: a) on a computing device, the maintenance of support information of a peripheral device, such as a driver of a printer, including the installation of the driver and monitoring for events related to end of persistence, such as a monitoring for the elapsing of a particular time or date, and automatically removing the driver from the computing device based upon the detection of the end of persistence, and further doing so without regard to any network or other connections of the computing device; and b) maintaining the support information in a map-based context, such as by way of representations of physical locations of the peripheral device in relation to areas encompassing the physical location of the peripheral device; which establishes conception and reduction to practice of the invention claimed in this application and that such conception and reduction to practice is evidenced by the Exhibits A, B and C, wherein they include:

A. An invention disclosure, with various dates and name information redacted, submitted to the Novell, Inc. (Assignee of the entire right, title and interest) invention disclosure committee, whereby the title and attendant written description indicates, among other things, the map-based or physical location implementation of the invention as

representatively found in claims 8-16;

B. An email, with various dates and name information redacted, submitting the invention disclosure of Exhibit A to the Novell, Inc. invention disclosure committee, and including the description of Exhibit A; and

C. A partial log (labeled PVCS), with various dates redacted and entries entered under the name of "owner" and "author id: ttronson," of ongoing source code implementing the invention in a software computer product, including revisions labeled Rev 1.17, 1.18 and 1.29, whereby:

1) the author and owner identification "ttronson" is the named inventor Ted W. Tronson;

2) the monitoring for end of persistence and fully automatically removing support information of a peripheral device, such as a driver for a printer, regardless of networked connections is given in the revisions in shorthand notation identified as "plugin features - volatile, ws/user,listjobs, holdjobs;" "listInstalledprinters , remove printer;" and "added prtref designator for volatile-date-time;"

3) the notation "installedprinters, remove printer" relates to installation and removal of the support information of a peripheral device, such as a printer driver;

4) the notation "volatile" relates to removal of the support information of a peripheral device; and

5) the notation "volatile-date-time" relates to removal of the support information of a peripheral device based upon an event relating to end of persistence, such as the "date" or "time."

6. That Exhibits A, B and C individually and/or collectively indicate conception and reduction to practice of the present invention prior to the effective date of Moyer.

7. The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further than these statements were made with the knowledge that willful false statements and the like so made and punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

8. That inventor Victor H. Parra is no longer an employee of Novell, Inc. and remains fairly unavailable to Novell, Inc. for ongoing matters, but that the Manual of Patent Examining Procedures (MPEP) §715.04 allows for the affidavit to be submitted in less than all the named inventors and is acceptable according to the following:

"***Further, where it is shown that a joint inventor*** is deceased, refuses to sign, or ***is otherwise unavailable, the signatures of the remaining joint inventors are sufficient.***" *Emphasis added, MPEP § 715.04.*

5-23-06
Date

B Dahneke
Bart Dahneke

23 May, 06
Date

Ted Wayne Tronson
Ted Wayne Tronson

May 23, 2006
Date

Michael J. Cowley
Michael J. Cowley

IDP-524 rec'd [redacted]

EXHIBIT A
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NOVELL PATENT PROGRAM INVENTION DISCLOSURE

It's simple. Answer the following five questions and you get $75 and a patent shirt! E-mail your completed form and any attachments to PATENT PROGRAM. You'll hear from us within a couple of days. If you don't, something went wrong and you should call Paula Lindsay at 1-4516 to straighten it out.

Novell's Inventions Committee looks forward to reviewing ALL submitted invention disclosures and plans to review yours at our meeting in the middle of next month. If you plan to publicly disclose the invention before then, please call Paula and she'll move it up in the queue. Thank you for helping to protect Novell's intellectual property!

For more information on how the Patent Program works and to pick out the Novell Patent shirt that you want, see our website on the Innerweb!

1. What's the name of your invention?

   MAP BASED/BROWSER BASED PRINTER INSTALATION

2. Who has been involved in creating the invention and what did they contribute? What group are they in and who is their manager (this info is required for us to issue bonuses – BTW, the bonuses are after taxes!!!).

   Bart Dahneke - design work, implemented browser plugins

   Michael Cowley - design work and implementaion of map tools

   Ted Tronson - design work, implemented provider

   Hugo Parra - design work

   [redacted]

3. Does Novell plan to use this invention in a product, pursue the invention in a standards body, or publish an article about it? Identify the product, standards organization, or publication. If you don't know, just say what you think Novell should do with it.

   Yes, this invention will be used as part of iPrint product. (This product was demonstrated at brain share this year)

4. What is the purpose of your invention? What problem were you trying to solve when you developed this invention? Specify the pieces of your invention that are original and new (thus, patentable). How does your invention work? Diagrams and flowcharts go along way toward helping us quickly understand your invention, so be sure to include some.

   (It may make more sence to break this into more than one patent, but to save time I am submitting all the related ideas together)

DOCKETED
DATE [redacted]

We have written a browser based printer instalation mechanism. An HTML instruction is passed that invocs an activex piece or a netscape plugin. The browser plugin communicates via a print provider using Internet Printing Protocol (ipp) over http to a servers http stack. The ippsrvr nlm registers as a cgi process and interprets the ipp commands received from the browser client. The ippsrvr will then facilitate driver download from the NDPS archetecture and the client will install the printer.

This instalation/access mechanism can be invoked by putting icons on a map and using the onclick() event to install and or access printers as they are selected from the map.

We have written a tool that will assist in the creation of these maps.

5. If you are aware of others in the industry who have attempted to solve this problem before, describe why your solution is better than theirs (don't be modest!).

To my knowledge ther is no web based printer installation nor map based printer instalation mechanism.

From: <nobody@novell.com>
To: <plindsay@novell.com>
Date: [redacted] 10:50AM
Subject: IDRform

EXHIBIT B
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[redacted]

NAME= Bart Dahneke
EMAIL= bdahneke@novell.com
INVENTIONNAME= map based/browser based printer instalation
CONTRIBUTE_MANAGER= Bart Dahneke - design work, implemented browser plugins
Michael Cowley - design work and implementaion of map tools
Ted Tronson - design work, implemented provider
Hugo Parra - design work

[redacted]

NOVELLSPLANS= Yes, this invention will be used as part of iPrint product. (This product was demonstrated at brain share this year)
PURPOSE= (It may make more sence to break this into more than one patent, but to save time I am submitting all the related ideas together)

We have written a browser based printer instalation mechanism. An HTML instruction is passed that invocs an activex piece or a netscape plugin. The browser plugin communicates via a print provider using Internet Printing Protocol (ipp) over http to a servers http stack. The ippsrvr nlm registers as a cgi process and interprets the ipp commands received from the browser client. The ippsrvr will then facilitate driver download from the NDPS archetecture and the client will install the printer.

This instalation/access mechanism can be invoked by putting icons on a map and using the onclick() event to install and or access printers as they are selected from the map.

We have written a tool that will assist in the creation of these maps.
BETTERSOLUTION= none. To my knowledge ther is no web based printer installation nor map based printer instalation mechanism.
FormsButton1= Submit

pvcslog

PVCS Version Manager (vlog) v6.5.00 (Build 536) for Windows NT/80x86
Copyright 1985-1999 INTERSOLV, Inc. All rights reserved.
Archive: V:\src\ipp\nipplib.dll\src\vcs\ippmain.c_v
Workfile: IPPMAIN.C
Archive created: [redacted] 16:36:00
Owner: ttronson
Last trunk rev: 1.98
Locks: ttronson : 1.92.1.1.1.11.1.108.1.59
Groups:
Rev count: 292
Attributes:

EXHIBIT C
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Rev 1.29
Checked in: [redacted] 17:00:44
Last modified: [redacted] 16:58:06
Author id: ttronson lines deleted/added/moved: 0/1/0
added prtref designator for volatile-date-time

Rev 1.18
Checked in: [redacted] 09:40:42
Last modified: [redacted] 09:30:56
Author id: ttronson lines deleted/added/moved: 23/231/0
listInstalledprinters, removeprinter

Rev 1.17
Checked in: [redacted] 09:56:26
Last modified: [redacted] 09:21:40
Author id: ttronson lines deleted/added/moved: 67/155/0
plugin features - volatile,ws/user,listjobs,holdjobs
